

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/20/08

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**EVENCIO HERNANDEZ and MARIO  
GALINDO, Individually and on Behalf of All  
Other Persons Similarly Situated,**

**Plaintiffs,**

**-against-**

**195 CLAREMONT FOOD INC. d/b/a  
COLUMBIA DELI, a New York corporation,**

**Defendant.**

2007 CV 11340 (LAK)

**STIPULATION**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel for the parties in the above-entitled action, that the time for Defendant 195 Claremont Food Inc. d/b/a Columbia Deli, to answer, move, or otherwise respond to the Complaint be and hereby is extended to and including February 13, 2008. Defendant waives the defense of lack of personal jurisdiction and/or any challenge as to the service of process. This stipulation may be executed in facsimile counterparts, each, when taken together, shall be deemed originals. Counsel for any party may cause this Stipulation to be filed with the Court without further notice. It is stipulated that from today until February 13, 2008, the statute of limitations for any unjoined collective action members shall be tolled.

Dated: New York, New York  
February 6, 2008

LAW OFFICES OF JUSTIN A. ZELLER, P.C.

By: 

Justin A. Zeller, Esq.  
Attorney for Plaintiffs  
251 West 14th Street, 5th Floor  
New York, New York 10011  
Tel: (212) 229-2249

LOANZON LAW FIRM P.C.

By: 

Tristan C. Loanzon  
Attorney for Defendant  
386 Park Avenue South, Suite 1914  
New York, New York 10016  
Tel: (212) 760-1515

SO ORDERED

  
LEWIS A. KAPLAN, USDJ

2/19/08